

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILE

05 APR 21 PM 5:11

ROBERT R. DILLON  
CLERK, U.S. DIST. CT.  
W.D. OF TN, MEMPHIS

ERNEST THORNTON,

Petitioner,

vs.

T.C. OUTLAW,

Respondent.

X  
X  
X  
X  
X  
X  
X  
X  
X  
X  
X

No. 05-2078-M1/P

ORDER OF DISMISSAL

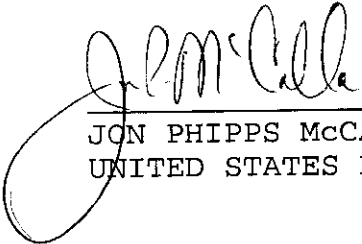
Petitioner Ernest Thornton, Bureau of Prisons inmate registration number 14796-047, an inmate at the Federal Correctional Institution in Memphis ("FCI-Memphis"), filed a pro se petition pursuant to 28 U.S.C. § 2241 on January 31, 2005. The Court issued an order on March 1, 2005, directing the Petitioner, within thirty (30) days, to submit a properly completed in forma pauperis affidavit demonstrating his indigency, along with an inmate trust fund account statement, or pay the habeas filing fee. The order further provided that "[f]ailure to timely comply with any requirement of this order will result in dismissal of the petition without further notice for failure to prosecute." (Order, Mar. 1, 2005, (Docket No. 3) at 2.)

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79(a) FRCP on 4-22-05

(4)

Petitioner has not complied with the March 1, 2005, order, and the time set for compliance has expired. Accordingly, the Court DISMISSES the petition without prejudice, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute.

IT IS SO ORDERED this 21 day of April, 2005.

  
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JON PHIPPS McCALLA  
UNITED STATES DISTRICT JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 2:05-CV-02078 was distributed by fax, mail, or direct printing on April 22, 2005 to the parties listed.

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Ernest Thornton  
FCI-MEMPHIS  
14796-047  
P.O. Box 34550  
Memphis, TN 38184--055

Honorable Jon McCalla  
US DISTRICT COURT